

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**RESTAURANT LAW CENTER, and
NATIONAL RESTAURANT
ASSOCIATION,**

Plaintiffs,

v.

**CITY OF NEW YORK, and
LORELEI SALAS, in her official capacity
as Commissioner of the NEW YORK
CITY DEPARTMENT OF CONSUMER
AFFAIRS,**

Defendants.

CIVIL ACTION NO.: 17-cv-9128-PGG

**DECLARATION OF JULIA S. STURNIOLO
IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

I, Julia S. Sturniolo, pursuant to 28 U.S.C. § 1746, state as follows:

1. I am an attorney at the law firm of Morgan, Lewis & Bockius LLP and represent the Restaurant Law Center ("RLC") and the National Restaurant Association ("NRA") (collectively "Plaintiffs").

2. I submit this declaration in support of Plaintiffs' Motion for Summary Judgment. I have personal knowledge of the matters set forth herein.

3. A true and correct copy of New York City Administrative Code ("NYCC") § 20-1301, *et seq.* (the "Bill"), is attached hereto as Exhibit 1.

4. A true and correct copy of New York City's Department of Consumer Affairs' Frequently Asked Questions ("FAQs"), dated November 27, 2017, is attached hereto as Exhibit

2. Also available at <http://www1.nyc.gov/assets/dca/downloads/pdf/workers/FAQs-FairWorkweek-Deductions.pdf>.

5. A true and correct copy of Rules of the City of New York (“RCNY”) § 7-701, *et seq.* (the “Rules”), dated November 2017, is attached hereto as Exhibit 3.

6. A true and correct copy of the Transcript of the Minutes of the City of New York Committee on Civil Service and Labor, dated May 22, 2017, is attached hereto as Exhibit 4.

7. A true and correct copy of selected pages of the Transcript of the Minutes of the City of New York Committee on Civil Service and Labor, dated March 3, 2017, is attached hereto as Exhibit 5.

8. A true and correct copy of the Parties’ Stipulation, dated January 10, 2018, is attached hereto as Exhibit 6.

9. A true and correct copy of Fast Food Justice’s Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code (the “Application”), dated November 2, 2016, is attached hereto as Exhibit 7.

10. A true and correct copy of the SEIU Local 32BJ Form LM-2 Labor Organization Annual Report, dated March 31, 2017, is attached hereto as Exhibit 8.

11. A true and correct copy of the Fast Food Justice IRS Form 990, dated November 15, 2017, is attached hereto as Exhibit 9.

12. A true and correct copy of the SEIU International Form LM-2 Labor Organization Annual Report, dated March 30, 2017, is attached hereto as Exhibit 10.

13. A true and correct copy of the Fast Food Workers Committee Form LM-2 Labor Organization Annual Report, dated March 30, 2017, is attached hereto as Exhibit 11.

14. A true and correct copy of the job posting entitled “SEIU Local 32BJ Communications Department Seeks Communications Associate,” dated July 13, 2016, is attached hereto as Exhibit 12.

15. A true and correct copy of a Fast Food Justice Flyer is attached hereto as Exhibit 13.

16. A true and correct copy of the “About Us” section of the website of the National Restaurant Association, last visited January 12, 2017, is attached hereto as Exhibit 14. *Also available at* <http://www.restaurant.org/About-Us>.

17. A true and correct copy of “About” section of the website of the Restaurant Law Center, last visited January 12, 2017, is attached hereto as Exhibit 15. *Also available at* <http://www.restaurant.org/restaurantlawcenter/about>.

18. A true and correct screenshot of “About” section of the website of the SEIU International, last visited January 12, 2017, is attached hereto as Exhibit 16. *Also available at* <http://www.seiu.org/about>.

19. A true and correct copy of the article “Q&A: SEIU President on Lessons for Labor in ‘Fight for \$15’” by Eric Morath published by *The Wall Street Journal*, dated May 23, 2017, is attached hereto as Exhibit 17.

20. A true and correct copy of the article “Fast-Food Workers Claim Victory in a New York Labor Effort” by Steven Greenhouse published by *The New York Times*, dated January 9, 2018, is attached hereto as Exhibit 18.

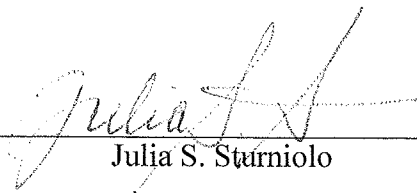
21. A true and correct screenshot of the “Know Your Rights” section of the website of SEIU Local 99, last visited January 12, 2018, is attached hereto as Exhibit 19. *Also available at* <http://seiu99.org/member-resources/resources-information/know-your-rights/>.

22. A true and correct screenshot of “Know Your Rights” section of the website of SEIU Local 284, last visited January 12, 2018, is attached hereto as Exhibit 20. *Also available at* <http://www.seiu284.org/member-resources/know-your-rights/>.

23. A true and correct copy of “Labor Department Looking Into Worker Center Scrutiny: Acosta” by Chris Opfer published by *Bloomberg Law*, dated November 15, 2017, is attached hereto as Exhibit 21.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on January 12, 2018



Julia S. Starniolo